



Crl.O.P.No.12710 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.12710 of 2025

and

Crl.M.P.No.8402 of 2025

M.Manikandan

..... Petitioner

Vs

1.The Inspector of Police,
W2, All Women Police Station,
Triplicane,
Chennai-600 002.

2.XXXXXXXX
W/o.XXXXXXXX,
XXXXXXXXXXXXX,
Triplicane,
Chennai.

3.XXXXXXXX
W/o.XXXXXXXX,
XXXXXXXXXXXXX,
Triplicane,
Chennai.

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to Spl.S.C.No.201 of 2023 pending on the file of the Learned Sessions Judge (Magalir Neethimandram), Chennai and quash the same.



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For Petitioner : Ms.JP.Dhanyasree
For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.201 of 2023 pending on the file of the Sessions Judge, Magalir Neethimandram, Chennai, thereby taken cognizance for the offences under Sections 5(j)(ii) read with 6 of the POCSO Act.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court, which has been signed by the petitioner and the third respondent. All the parties are present and identified by the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. It is seen that the victim, viz., the third respondent, has now attained majority and they are living together happily with their child.

5. Under such circumstances, no useful purpose will be



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served in keeping the proceeding pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641- (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in Spl.S.C.No.201 of 2023, pending trial on the file of the Sessions Judge, Magalir Neethimandram, Chennai.

6. In view of the above, the proceedings in Spl.S.C.No.201 of 2023 pending on the file of the Sessions Judge, Magalir Neethimandram, Chennai, is hereby quashed. The terms of Joint Memo of Compromise shall form part and parcel of this Order.

7. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

25.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

1.The Sessions Judge,
Magalir Neethimandram, Chennai

2. The Inspector of Police,
W2, All Women Police Station,
Triplicane,
Chennai-600 002.

3. The Public Prosecutor,
Madras High Court,
Chennai.

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